

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2651
10/13/03
#14/105

Applicants: Brian S. Medower; Ian R. Redmond; David H. Davies

RECEIVED

Assignee: DPHI Acquisitions, Inc.

OCT 02 2003

Title: Optical Data Storage Media With Enhanced Contrast

TC 1700

Application No.: 09/854,333

Filing Date: 05/11/2001

Examiner: Unassigned

Group Art Unit: 2651

RECEIVED

SEP 22 2003

Docket No.: M-9998-1P US

Technology Center 2600

Irvine, California
September 15, 2003

Mail Stop DD
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

10/06/2003 CSIAS1

00000007 502257

09814381

INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. §1.56

01 FC:1806

180.00 DA

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

Enclosed with this statement are the following:

- ☒ Form PTO-1449 (*Substitute*). The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ A copy of each cited document as required by 37 C.F.R. §1.98 (*except where otherwise indicated for a specific citation*).

Complete copies are not submitted of U.S. applications per 37 C.F.R. §1.98(a)(2)(iii), and copies are not submitted of documents already cited or submitted in a parent application from which benefit under 35 U.S.C. §120 is claimed per 37 C.F.R. §1.98(d). If any of the cited/submitted documents is in a foreign language, a concise explanation of relevancy is provided pursuant to 37 C.F.R. §1.98(a)(3). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. 57 F.R. 2021 (1/17/92). If a written

English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement. 37 C.F.R. §1.98(c).

This statement should be considered because:

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within 3 months of the application filing date;
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;
-- OR --
- (3) It is being filed before the mailing date of a first Office action *on the merits*,
-- OR --
- (4) It is being filed before the mailing date of a first Office action *after the filing of an RCE*

whichever occurs last.

☐ Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL Office Action and before a Notice of Allowance or another action closing prosecution (whichever occurs first)

-- AND (check at least one of the following) --

- ☐ (1) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p)
-- OR --
- ☐ (2) It is accompanied by a CERTIFICATION as set forth in 37 C.F.R. §1.97(e)

☐ Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

- (1) It is accompanied by a CERTIFICATION as set forth in 37 C.F.R. §1.97(e);
-- AND --
- (2) It is accompanied by a STATEMENT TO ACCEPT INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(d);
-- AND --
- (3) It is accompanied by the fee set forth in 37 C.F.R. §1.17(p);
-- AND --
- (4) The Issue Fee has not been paid prior to the submission.

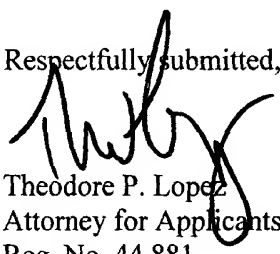
- ☒ **Fee Authorization.** No fees are due for this submission as it has been filed prior to the issuance of a first office action. However, should the Patent Office determine that a fee is due, please charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-2257. A duplicate copy of this authorization is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 15, 2003.

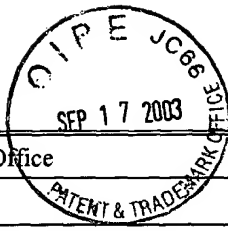

Adriane Giberson

9-15-03
Date of Signature

Respectfully submitted,


Theodore P. Lopez
Attorney for Applicants
Reg. No. 44,881

LAW OFFICES OF
MacPherson, Kwok, Chen &
Held LLP
1762 Technology Drive
Suite 226
San Jose, CA 95110
Telephone (408) 392-9520
Fax (408) 392-9262



| | | |
|--|-------------------------|------------|
| U.S. Department of Commerce, Patent and Trademark Office | Atty Docket No. | Serial No. |
| | M-9998-1P US | 09/854,333 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | Applicant(s) | |
| (Use several sheets if necessary) | Brian S. Medower et al. | |
| | Filing Date | Group |
| | 05/11/2001 | 2651 |

U.S. Patent Documents

| *Examiner Initial | | Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate |
|-------------------|----|-----------------|------------|------------------|-------|----------|----------------------------|
| | AA | 4,450,553 | 05/22/1984 | Holster et al. | 369 | 275 | |
| | AB | 4,644,515 | 02/17/1987 | Allebest et al. | 369 | 32 | |
| | AC | 4,860,278 | 08/22/1989 | Nakahara | 369 | 271 | |
| | AD | 5,311,494 | 05/10/1994 | Sugita et al. | 369 | 100 | |
| | AE | 5,689,497 | 11/18/1997 | Wilting et al. | 369 | 275.1 | |
| | AF | 5,703,868 | 12/30/1997 | Kobayashi et al. | 369 | 286 | |
| | AG | 5,764,619 | 06/09/1998 | Nishiuchi et al. | 369 | 275.1 | |
| | AH | 6,208,736 | 03/27/2001 | Gotoh et al. | 380 | 203 | |
| | AI | 6,210,609 | 04/03/2001 | Takeda et al. | 264 | 1.33 | |
| | AJ | 6,221,455 | 04/24/2001 | Yasuda et al. | 428 | 64.1 | |
| | AK | 6,228,457 | 05/08/2001 | Ueno et al. | 428 | 64.1 | |

RECEIVED

SEP 22 2003

Technology Center 2600

RECEIVED

OCT 02 2003

TC 1700

Foreign Patent Documents

| | | | | | | | Translation | |
|--|----|---------------------------------|------------|---------|-------|----------|-------------|----|
| | | Document | Date | Country | Class | Subclass | Yes | No |
| | AL | EP 0 969 452 - | 12/19/1997 | EP | G11B | 7/00 | X | |
| | AM | JP 10106049 - [w/Abstract] | 09/27/1996 | Japan | G11B | 7/26 | X | |
| | AN | JP 2000268417 - [w/Abstract] | 03/18/1999 | Japan | G11B | 7/26 | X | |
| | AO | JP 2000285517 - [w/Abstract] | 03/30/1999 | Japan | G11B | 07/24 | X | |
| | AP | WO 99/39337 - | 01/30/1998 | PCT | G11B | 7/00 | X | |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|----|--|
| | AQ | |
| | AR | |
| | AS | |

| | |
|----------|-----------------|
| Examiner | Date Considered |
|----------|-----------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.

SEP 17 2003

Sheet 2 of 2

| | | | | | | | | |
|---|----|-------------------------------|-----------------|-----------------|-------------------------|----------|----------------------------|----|
| U.S. Department of Commerce, Patent and Trademark Office | | | | | Atty Docket No. | | Serial No. | |
| | | | | | M-9998-1P US | | 09/854,333 | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | | Applicant(s) | | | |
| (Use several sheets if necessary) | | | | | Brian S. Medower et al. | | | |
| | | | | | Filing Date | | Group | |
| | | | | | 05/11/2001 | | 2651 | |
| U.S. Patent Documents | | | | | | | | |
| *Examiner Initial | | Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate | |
| | AA | 6,312,547 | 11/06/2001 | Fujimori et al. | 156 | 242 | | |
| | AB | | | | | | | |
| | AC | | | | | | | |
| | AD | | | | | | | |
| | AE | | | | | | | |
| | AF | | | | | | | |
| | AG | | | | | | | |
| | AH | | | | | | | |
| | AI | | | | | | | |
| | AJ | | | | | | | |
| | AK | | | | | | | |
| Foreign Patent Documents | | | | | | | | |
| | | | | | | | Translation | |
| | | Document | Date | Country | Class | Subclass | Yes | No |
| | AL | WO 99/45539 ~ | 03/06/1998 | PCT | G11B | 19/02 | X | |
| | AM | WO 00/72312 ~ | 05/20/1999 | PCT | G11B | 3/70 | X | |
| | AN | WO 00/79526 ~ | 06/23/1999 | PCT | G11B | 7/24 | X | |
| | AO | WO 01/18802 ~ [w/Abstract] | 09/08/1999 | PCT | G11B | 7/24 | X | |
| | AP | | | | | | | |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | | |
| | AQ | | | | | | | |
| | AR | | | | | | | |
| | AS | | | | | | | |
| Examiner | | | Date Considered | | | | | |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant. | | | | | | | | |

RECEIVED

SEP 22 2003

Technology Center 2003

RECEIVED

OCT 02 2003

TC 1700